

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

**06.03.2026
Sl. no. 5
Ct. No. 6
P.M.
(ALLOWED)**

C.R.M. (M) 404 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Mathabhanga Police Station Case No. 889 of 2025 dated 27.10.2025 corresponding to G.R. Case No. 1757 of 2025 pending before the learned Additional Sessions Judge, Mathabhanga under Section 329(4)/64/351(2) of Bharatiya Nyaya Sanhita, 2023 .

And

In the matter of : **Tapas Barman.**

.... Petitioner

Mr. Partha Pratim Sarkar

Mr. Bappaditya Roy

.... For the petitioner

Mr. Tapan Bhattacharjee,

Mr. Chattu Roy

... for the State

The case of the prosecution is that allegedly on 22nd October, 2025 at about 7 p.m. the petitioner forcibly committed rape upon the victim in her house finding her alone. The petitioner is stated to be the cousin of victim's husband.

Learned counsel for the petitioner submits that FIR was lodged on 27th October, 2025. It has been submitted that the charge sheet has already been filed and petitioner is in custody since 2nd November, 2025.

Learned counsel for the State has opposed the bail application. He submits that the victim in her judicial statement has affirmed the case of the prosecution.

The court has considered the submissions. The victim is stated to be around 23 years of age with two children. The petitioner is stated to be 25 years of age. Both are admittedly known to each other. The investigation is already complete. The charge sheet has been filed. The trial may long time.

Thus, taking into the facts and circumstances of this case the petitioners are admitted to bail by furnishing a bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of like amount each, one of whom shall be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Mathabhanga subject to the conditions that he shall attend the trial regularly and shall not threaten, tamper or intimidate the complainant or members of the family in any manner.

This application being CRM (M) 404 of 2025 stands disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)